

REMARKS/ARGUMENTS

Favorable reconsideration of this application as currently amended and in light of the following discussion is respectfully requested.

Claims 1-3, and 19-21 are pending, Claims 4-18 having been canceled without prejudice or disclaimer, Claims 1, 2, and 3 having been amended, and Claims 19-21 added by way of the present amendment.

In the outstanding Office Action, Claims 4-7, 14-17 were rejected under 35 USC §101; Claim 1 was rejected under 35 USC §112, first paragraph; and Claims 1-18 were rejected as being anticipated by Wiser et al (U.S. 6,330,675, hereinafter Wiser).

In reply, Claims 4-18 have been canceled without prejudice or disclaimer. Claim 1 has been amended consistent with 35 USC §112, first paragraph. However, if the Examiner disagrees, the Examiner is invited to telephone the undersigned so that mutually agreeable claim language may be identified.

Claim 1 is directed to a control apparatus for managing one or more content data. The content data is in accordance with a using condition information that corresponds to the content data. The using condition information is indicative of usage rules of the content data. The apparatus includes means for receiving a first using condition information described in a first format. The apparatus also includes means for converting using the first using condition information into a second using condition information described in a second format that is different from the first format. The apparatus also includes means for transmitting the second using condition information.

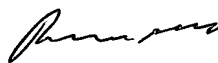
In contrast to the apparatus defined in amended Claim 1, Wiser is directed to a system and method for securing and transferring digital data to a local recordable storage medium. However, Wiser does not perform the function of converting a first using condition information described in a first format into a second using condition information described in

a second format. As Claim 1 clearly recited this function, and as this function is absent from Wiser, it is respectfully submitted that Claim 1, as amended, patentably defines over Wiser. Because Claims 2 and 3 depend from Claim 1, it is respectfully submitted that these claims patentable define over Wiser. For substantially the same reasons as set forth above with regard to Claim 1, it is respectfully submitted that independent Claims 19-21 also patentable define over Wiser, although Claims 19-21 are directed to a data processing apparatus, method and computer readable medium respectively.

Consequently, in view of the present amendment and light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-3 and 19-21 as amended, patentable define over the asserted prior art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)